

MINIBUS AND DRIVING POLICY

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 Co-ordinator: Andy Fisher

Rationale

The Governing Body is aware of its obligations under 'The Corporate Manslaughter and Corporate Homicide Act 2007', which came into force in April 2008 and recognises that an organisation will be guilty of a serious offence if the way in which its activities are managed or organised causes a death and amounts to a gross breach of a duty of care to the deceased. Accordingly, this policy in respect of driving on behalf of the school must be adhered to. Failure to comply with its content could lead to disciplinary action.

Purpose

The purpose of the policy is to ensure that the Governing Body of Sandwich Technology School meets its obligations under its duty of care for employees who drive on its behalf. The policy is written to meet the requirements of the Health and Safety at Work Act 1974 and to ensure compliance with the guidance issued by organisations such as RoSPA, the Department of Transport, the Health and Safety Executive and the Department for Education.

The policy applies to all persons who drive on behalf of the school in vehicles owned or hired by the organisation. It also applies to those who drive their own vehicles on behalf of the school. The Governors recognise that most journeys undertaken on behalf of the school are of a voluntary nature and they are appreciative of the goodwill shown by staff in this regard. However, they are required to undertake proper risk assessments of all activities including those of a voluntary nature and this policy is designed to minimise the risk to employees and students and also to protect the interests of the school.

Driving on behalf of the school is defined as staff who drive regularly as a major part of their job and those who drive occasionally or for short distances:

- travelling to and from meetings/sports fixtures;
- site visits; and
- travelling to and from home to a non-permanent place of work, including visits to other establishments and training courses, seminars, conferences, etc.

Such a definition does not relate directly to the payment of expenses or inclusion in job descriptions, but purely to the activity of driving on behalf of the school, with or without payment.

Travel to and from home to your usual place of work is defined as commuting and is exempt from this policy.

Implementation (Roles and Responsibilities)

School Minibuses

Booking a school minibus

The minibuses can be booked out via reception or the school office, bookings can be viewed on the staff 'Outlook' calendar.

The school currently operates three of its own minibuses. These may be used at any time by staff for educational purposes, assuming there is no prior booking.

Eligibility to drive a school minibus

Staff are eligible to drive the school's minibuses providing they:

- are over 21 years of age;
- have held a full driving licence for at least two years;
- have the Headteacher's permission;
- are an employee of Sandwich Technology School;
- are providing their services on a voluntary basis;
- have satisfactorily completed a KCC minibus-training course (MIDAS) or equivalent by a competent person.

All eligible staff may drive any of the school minibuses without a D1 classification on their driving licence as their maximum weights do not exceed either 3.5 tonnes or 4.25 tonnes with specialist equipment for the carriage of disabled passengers. (Staff holding a full driving licence before January 1997 will have a D1 classification.) However, should a minibus be hired for exceptional purposes, the above eligibility framework must be adhered to and a D1 exempt vehicle sought as a preference.

In order to drive a minibus under the STS Motor Insurance Policy, drivers must also comply with the Minibus Safety Code of Good Practice. Section 5.7 (ii) states:

"The driver's licence must be inspected by the appropriate line manager every twelve months. Where a driver has in excess of six points on a licence at any one time, then he/she should be further assessed by an additional minibus training session to determine their suitability to drive. Where a disqualification has been incurred then, for two years from the end of the disqualification, the driver should not have been convicted of any offence resulting in penalty points."

School minibuses may only be used for recognised school business. They may not, under any circumstances, be used for non-school, personal use. In the event of any misuse of school minibuses, the school reserves the right to charge staff for mileage and may also consider taking disciplinary action against staff.

You are required to inform the school of any changes to your driving licence immediately. Any endorsements and convictions received must be reported and may result in a review of the staff member's eligibility to drive a school minibus.

Driver

The driver is responsible for:

- vehicle condition on the road;
- vehicle condition on return;
- care of the vehicle, passengers and behaviour.

He or she may be assisted by other staff, but it is the driver who has overall responsibility.

Before setting off

The driver shall:

- collect and sign for the keys and minibus folder, which are held in the school office;
- undertake checks to ensure that the vehicle is roadworthy and complete the check list/condition sheet within the minibus folder.

The checks to be undertaken are tasks which do not require any technical expertise and are the basic checks included in the current UK driving standards examination:

- tyre tread;
- foot and hand brake operation;
- lights, indicators and hazard warning lights operate;
- horn operates;
- screenwash and wipers operate;
- seat belts fitted and functioning;
- mirrors adjusted/adjustable;
- fuel level.

Additional checks for long journeys might usefully include:

- fluid levels (oil, coolant and screenwash);
- tyre pressures;
- locks and security are functional.

Weekly checks on all minibuses will be conducted by the caretaking team, but it is the responsibility of any driver to ensure that a vehicle is roadworthy prior to each journey.

During the journey

- Students in Years 7 to 10 should not sit in the front of the cab.
- Students should not touch any controls in the cab including the radio.
- Students should not be given keys or be left unsupervised in the vehicle.
- Students should not be allowed on the roof.
- Food and drink must not be consumed in the vehicle.
- Smoking is not allowed at any time.
- Rest breaks should be taken on longer journeys every two hours.

Staff/student ratios should be observed in line with the school's educational visits guidelines.

On returning to school

The driver is responsible for the following:

- completion of the minibus check sheet including fault reporting;
- checking interior cleanliness (the vehicle must be returned in a clean and swept state **on point of return** – not the next day);
- the closing and **locking** of **all** doors and windows including passenger/saloon windows and doors;
- the untwisting and resetting of all passenger saloon seat belts so that they are closed across the seats, ready for the next user;
- checking that all lights, controls and radio are turned off before leaving the vehicle, in particular the radio, headlights and interior saloon lights;
- correct and prompt return of keys to the school office, where possible immediately on return or reception if outside core school hours. If this is not possible, then by 8.00 am the next working day. The keys must not be passed on to other staff directly, without the prior agreement of the School Business Manager (SBM). In an emergency, keys may be left with the Site Engineer (SE). However, it is still the responsibility of the driver to check that the subsequent return of the keys to the school office has taken place.

Driving Guidelines

These guidelines apply to both the driving of a school minibus or a privately-owned vehicle whilst on school business unless defined.

At no time and under no circumstances will the school condone speeding, driving whilst overtired, illegal parking leading to a fine or clamping, eating, drinking or using a hand-held mobile phone whilst driving. Every consideration should be given to driving in a way that is safe both to you and all other road users. Should the school be pursued for an unpaid fine, an appropriate amount will be deducted from your next salary payment or other monies due to you.

It is a criminal offence to use a mobile phone in a vehicle whilst driving unless via a recognised hands-free application. If you drive whilst on school business, you are reminded that you are absolutely forbidden to use your mobile phone whilst driving unless via a hands-free application. Such use is gross misconduct and will warrant summary dismissal.

From 1 July 2007 it has been against the law to smoke or permit others to smoke in virtually all enclosed public places and workplaces in England. The law extends to vehicles (such as the school minibus). The law requires vehicles to be smoke free at all times. Within private vehicles this is at the discretion of the driver.

Private vehicles used for school journeys must have a 'business user clause' on their policy for adequate cover and to entitle them to claim mileage allowances.

Any accident when driving in a private vehicle on school business, whether involving vehicle damage or not and however minor in nature, must be reported as soon as possible on return to the school to the SBM.

Should you be involved in an own-fault accident within a private vehicle the school accepts no liability for losses and this should be pursued via the drivers own insurance provider.

When journeys are undertaken within a private vehicle for training or other school related activities the driver must sign out and, where applicable, back in at reception in case of an emergency.

In the event of an accident involving a minibus, ensure a brief description of the damage is entered on the minibus check sheet and reported immediately, both verbally and in writing, to the SBM in order to remove the minibus from service until repairs are made for safe further use and to give the driver guidance on the completion of any school insurance claim documentation.

Authorised drivers of school minibuses involved in accidents must not make admissions of liability nor make statements to third parties, unless under legal obligation to do so by the Police.

On journeys of over fifty miles in a school minibus, or if the fuel gauge indicates it is necessary by showing only a quarter of a tank of fuel or less, users of the vehicle must replace the fuel used by refilling the tank. They can subsequently claim the cost back from the school by presenting receipts in the normal way. They must also write details in the minibus check sheet. A local fuel account is held with Malcom Waite in Sandwich.

The loss of minibus keys must be reported immediately and the replacement cost will be the responsibility of the department on whose behalf the vehicle was being used.

You are also requested to inform the SBM when any school minibus is found to be damaged in any way.

On all journeys involving students, a list of the names of the travellers (both staff and students) must be left with an emergency contact person at school along with contact telephone numbers, destination and estimated return time. On all journeys requiring a second member of staff, a working mobile telephone must be taken and the telephone number left with the emergency contact before departure.

Links to other policies/documents

Child protection and Safeguarding Policy

Educational Visits Guidelines

Emergency Plan

Health and Safety Policy